

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9205941-10

On MARCH 29, 1993, for the consideration of system betterment, Grantor grants to Grantee a permanent underground easement ("Right of Way") in, on and across a part of Grantor's Land ~~and~~ **"Right of Way Area"**.

"Grantor" is:

John W. Moir and Frances A. Moir, Husband and Wife,
43642 Serenity Drive, Northville, Michigan 48167

0001 OCT.07'93 08:45AM
4669 MISC 7.00

"Grantee" is:

The Detroit Edison Company, a Michigan Corporation, 2000 Second Avenue, Detroit, Michigan 48226

"Grantor's Land" is in the City of Novi, Oakland County, Michigan described as:

Section 27, T1N, R8E, part of Northeast 1/4 of Northeast 1/4 beginning at point distance South 02°46'37" East 737.80 feet from Northeast section corner, thence South 02°46'37" East 125.0 feet, thence South 87°18'25" West 348.48 feet, thence North 02°46'37" West 125.0 feet, thence North 87°18'25" East 348.48 feet to beginning. 1 Acre - Sidwell No: 22-27-200-037

The "Right of Way Area" is a part of Grantor's Land and is described as:

The Westerly 10 feet of the Easterly 43 feet and also the Westerly 60 feet of the Easterly 103 feet of the Southerly 10 feet. The right of way is ten (10) feet in width.

- 1. Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain underground utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
- 2. Access:** Grantee has the right of access to and from the Right of Way Area.
- 3. Buildings or other Permanent Structures:** No buildings or other permanent structures shall be placed in the Right of Way Area without Grantee's prior written consent.
- 4. Excavation:** As required by Public Act 53 of 1974, MISS DIG must be called on 1-800-482-7171 before anyone excavates in the Right of Way Area.
- 5. Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots in the Right of Way Area (or that could grow into the Right of Way Area) and remove structures and fences in the Right of Way Area that Grantee believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities. No trees, plant life, structures and fences shall be planted, grown or installed within 8 feet of the front door and within 2 feet of the other sides of transformers and switching cabinet enclosures. Grantee shall not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in front of transformer doors.
- 6. Restoration:** If Grantee's employees, contractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land for the purposes stated in this Right of Way, then Grantee shall restore Grantor's Land as nearly as can be to its original condition.
- 7 Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

RECORDED RIGHT OF WAY NO. 45207

B#92 REG/DEEDS PAID
0001 OCT.07'93 08:45AM
4669 RMT FEE 2.00

200
200
200

Witnesses: (type or print name below signature)

Grantor: (type or print name below signature) (Contract Purchaser)

DET01

David G. Ball
DAVID G. BALL

John W. Moir
John W. Moir

Judith E. Sermo
JUDITH E. SERMO

Frances A. Moir
Frances A. Moir

Acknowledged before me in OAKLAND County, Michigan, on MARCH 29, 1993 by John W. Moir and Frances A. Moir, Husband and Wife.

NOTARY PUBLIC
ITS MA Notary Public, Oakland County, MI
My Commission Expires June 19, 1993

Notary's Stamp JUNE 19, 1993 (Notary's name, county and date commission expires)

Notary's Signature David G. Ball

Prepared by and Return to: Annie P. Grimmett, 30400 Telegraph Road, Suite 277, Birmingham, Michigan 48025/avm.

MAR 27 1993

OK - G.K.

